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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91165229
Party	Defendant The Board of Trustees of the University of Alabama
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

ATHLETICS INVESTMENT GROUP LLC,
d/b/a THE OAKLAND ATHLETICS
BASEBALL COMPANY,

Opposer,

v.

THE BOARD OF TRUSTEES OF THE
UNIVERSITY OF ALABAMA,

Applicant.

Opposition No.: 91/165,229

Appln. Serial Nos. 76/212,457; 76/976,853

The Trademark Trial and Appeal Board
P.O. Box 1451
Alexandria, VA 22313-1451

STIPULATED REQUEST FOR
RECONSIDERATION OF BOARD ORDER

Opposer, ATHLETICS INVESTMENT GROUP LLC d/b/a THE OAKLAND ATHLETICS BASEBALL COMPANY, and Applicant, THE BOARD OF TRUSTEES OF THE UNIVERSITY OF ALABAMA, jointly request reconsideration of the Board's Order of February 2, 2011, denying the parties' request for a continued suspension of the captioned Opposition. Extraordinary circumstances exist for granting the parties' request for reconsideration.

As the Board knows, the parties have been negotiating for some time the terms under which the parties' marks involved in this proceeding may co-exist. An obstacle encountered by the parties is that Alexandra DeNeve, Esquire, in-house trademark counsel for MLB Properties Inc. (who has been handling this Opposition on Opposer's behalf), has been out on maternity leave since December 16, 2010, when the parties were reviewing revisions to a written draft settlement agreement but had not been able to reach agreement on certain additional terms requested by Applicant in the negotiations earlier

that month.. Ms. DeNeve has unique and intimate knowledge of this matter, including the settlement negotiations relating thereto, as she has been working on the settlement of this dispute for Opposer since 2008.

Further, the parties already have entered into an agreement that resolved a previous trademark dispute between the parties. That agreement resulted in a dismissal without prejudice of Opposition No. 91/160,945. The parties are using that earlier agreement as a model to resolve the present captioned Opposition. As a result, the number of settlement points that remain outstanding have been reduced to few in number.

Ms. DeNeve returned from her maternity leave on March 1, 2011. Ms. DeNeve and counsel for the parties will give this matter high priority, so that the parties can conclude their negotiations with a signed agreement. The parties request a further suspension of three (3) months for this purpose – which will be the final suspension that will be requested.

Respectfully submitted,

ATHLETICS INVESTMENT GROUP
LLC, d/b/a THE OAKLAND
ATHLETICS BASEBALL COMPANY
d/b/a THE OAKLAND ATHLETICS
BASEBALL

By: /s/ Rosemary S. Tarlton
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Attorneys for Opposer
Dated: March 2, 2011

JH/klb {5042820_1.DOC}

Respectfully submitted,

THE BOARD OF TRUSTEES OF THE
UNIVERSITY OF ALABAMA

By: /s/ Jonathan Hudis
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Attorneys for Applicant
Dated: March 2, 2011

CERTIFICATE OF SERVICE

Pursuant to Trademark Rule 2.119(b)(6), and by agreement of the parties, I hereby certify that a true copy of the foregoing **STIPULATED REQUEST FOR RECONSIDERATION OF BOARD ORDER** was served on counsel for Applicant, this ____ day of March, 2011, by sending same via e-mail to:

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/s/ Jonathan Hudis _____